

IN THE CIRCUIT COURT OF THE FIRST  
JUDICIAL CIRCUIT, IN AND FOR  
ESCAMBIA COUNTY, FLORIDA

1108 ARIOLA LLC, *et al.*  
Plaintiffs

CASE NO.: 2004 CA 002290  
DIVISION: J

v.

CHRIS JONES, PROPERTY APPRAISER  
OF ESCAMBIA COUNTY, AND  
JANET HOLLEY, TAX COLLECTOR  
FOR ESCAMBIA COUNTY.  
Defendants

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**DEFENDANTS' REQUEST  
FOR PRODUCTION OF DOCUMENTS FROM  
INDIVIDUAL PLAINTIFFS**

Pursuant to Rule 1.350, Florida Rules of Civil Procedure, Defendant CHRIS JONES, by and through his undersigned counsel, hereby propounds his Request for Production of Documents upon Plaintiff, for inspection and/or copying at the offices of Messer, Caparello & Self, P.A., 215 South Monroe St., Suite 701, Tallahassee, Florida 32301, within thirty (30) days of receipt of this request.

**INSTRUCTIONS & DEFINITIONS**

1. "Defendant" refers to Chris Jones, Property Appraiser of Escambia County, Florida, and all agents, representatives and other persons acting or purporting to act on Defendant's behalf.
2. Unless otherwise specified, "Plaintiff" or "you" or "your" refers to each of the individuals whose property rights are derived from the instruments described in Paragraph 35 of the Complaint, unless specified otherwise.
3. The terms "identify" or "identity" have the following meanings:
  - a. With regard to natural persons, "identify" means to state the person's name, last known employment, home address, business address, and telephone number;

b. With regard to entities which are not natural persons, "identify" means to state the name of the entity, type of entity (e.g., corporation, partnership, limited partnership, etc.), state of organization, and principal place of business address;

c. With regard to documents, "identify" means to specify the type of document (e.g., lease, contract, memorandum, letter, notes, directive, etc.), the date and number of pages of the document, and to identify all author(s) and recipient(s) of the document and all persons and entities having possession or the right to possession of the original(s) and/or copies.

4. Unless otherwise specified, "person" means and includes every natural person, corporation, partnership or other entity.

5. "Date" means the exact day, month, and year, if ascertainable, and if not, the best approximation, including any relationship in time to the occurrence of other events identified in the interrogatory or response thereto.

6. "Complaint" means the Complaint filed in the above-styled action.

7. "Answer" means the Answer filed in response to the Complaint.

8. "Document" as used in these requests as the meaning set forth in Rule 1.350, Florida Rules of Civil Procedure, and also includes without limitation, all tangible things, whether handwritten, typed, printed or otherwise visually reproduced, taped, photographic or graphic matter, however produced or reproduced, originals, copies and drafts, including but not limited to any leases, subleases, applications, contracts, letters, notices, cables, wires, email, memoranda, interoffice or personal communications, telegrams, handbooks, manuals, reports, periodicals, notes (including any made during the review or preparation of work papers), statements, forecasts, summaries or transcripts of any telephone conversation or personal conversation or interview, work papers, diaries (formal or informal), business or personal calendars, personal files and notes, sketches, charts,

assignments, agreements (including any modification or revision thereof), summaries of negotiations, press releases, photographs, motion pictures, computer inputs or outputs, microfilm, work assignments and any other writing including drafts, revisions or translations of any of the foregoing, within the possession or custody or under control of the Plaintiff or any agent or family member of the Plaintiff.

9. The "Subject Property" is defined to be the property assessed with respect to each individual Plaintiff.

10. The "Real Property Improvements" are defined to be any and all improvements constructed upon the Subject Property at issue.

11. If you cannot produce any document requested, after exercising due diligence to secure the information to do so, then explicitly so state. In answering each request, you are to provide all information known or available to you or to your agent(s) or attorney(s).

12. In the event that you assert the application of a legal privilege, please identify the author; addressee and date of such document and a general description thereof.

### **REQUESTS FOR PRODUCTION**

Please produce:

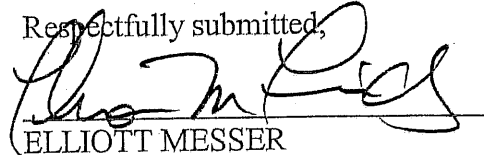
1. Any and all documents or materials identified or referred to in response to the Defendant Chris Jones' First Set of Interrogatories, which was submitted contemporaneously herewith.

2. Any and all documents referred to in Exhibits 4 through 8 of the Complaint, including but not limited to the Land Trust Agreement referred to in Exhibit 7.

3. Any and all documents or materials which support the factual allegations made in the Complaint.

It is requested that the above production be made in accordance with the Florida Rules of Civil Procedure. Inspection is to be made by visual observation, examination, and/or copying.

Respectfully submitted,



ELLIOTT MESSER

Florida Bar No.: 054461

THOMAS M. FINDLEY

Florida Bar No.: 0797855

Messer, Caparello & Self, P.A.,

Post Office Box 1876

Tallahassee, FL 32302-1876

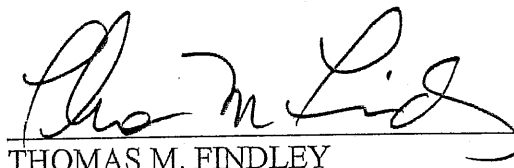
Telephone: (850) 222-0720

Facsimile: (850) 224-4359

Counsel for the Property Appraiser Chris Jones

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by U.S. Mail to: Danny L. Kepner, Esq. and Thomas J. Gilliam, Jr., Esq., Shell, Fleming, Davis & Menge, P.A., 226 South Palafox Street, 9th Floor, Pensacola, FL 32502 this <sup>28</sup> day of February, 2005.



THOMAS M. FINDLEY